



TOWN OF WAYNESVILLE Planning Board

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Chairman

Patrick McDowell

Planning Board Members

Danny Wingate (Vice)

John Feichter

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Shell Isenberg

L. Brooks Hale

Development Services

Director

Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD REGULAR MEETING

Town Hall – 9 South Main St., Waynesville, NC 28786
October 19, 2015

THE WAYNESVILLE PLANNING BOARD held a regular meeting on October 19, 2015 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Patrick McDowell
Danny Wingate
Bucky Dykes
Robert Herrmann
Jon Feichter
Phillip Gibbs
Marty Prevost

Absent:

Brooks Hale
Shell Isenberg

The following staff members were present:

Elizabeth Teague, Development Services Director
Byron Hickox, Land Use Administrator
Eddie Ward, Deputy Town Clerk

Also present was Ron Sneed, Attorney to the Planning Board, property owners Robert and Alex McKay, Todd Rogers representing Chick-Fil-A, John Cox, Preston Kendell representing Ingles and Craig Inabinett representing Rainbow Signs.

Representing the media were Jesse Stone from Smoky Mountain News, and Allison Olcsevy from The Mountaineer.

2. Adoption of Minutes

Board Member Jon Feichter noted that on page 5 of the Minutes for September 21, 2015, the motion should read:

A motion was made by Board Member Jon Feichter, seconded by Board Member Robert Herrmann, to deny the request for a Conditional Land Use Request for Carolina Furniture Concepts at 121 Eagles Nest Road, PIN 8605-64-6237. The motion passed with seven ayes (Patrick McDowell, Dany Wingate, Shell Isenberg, Robert Herrmann, Jon Feichter, Marty Prevost, and Brooks Hale) and one nay (Phillip Gibbs).

A motion was made by Board Member Danny Wingate, seconded by Board Member Robert Herrmann, to approve the minutes of September 21, 2015 as corrected. The motion passed unanimously.

B. NEW BUSINESS

1. Public Hearing for a Map Amendment (Rezoning) Request for rezoning 4 lots at 263 Riverbend Street and 9 Camp Street; PINs 8605-81-5526, 8605-81-6618, 8605-81-7716, and 8605-81-6705.

Chairman McDowell opened the Public Hearing and asked Development Services Director Elizabeth Teague to present the staff report. Ms. Teague stated the request was to rezone four lots, owned by Mr. Bobby McKay, located at 263 Riverbend Street and 9 Camp Street (PIN's 8605-81-5526, 8605-81-6618, 8605-81-7716 and 8605-81-6705) totaling 1.38 acres from Hazelwood Urban Residential to Hazelwood Business District. She referred to a 1977 Hazelwood Zoning Map indicating that the "triangle" where Riverbend Street and Brown Avenue meet was zoned commercially and the lots across the street were zoned industrially prior to when Hazelwood merged with the Town of Waynesville in 1993. Waynesville kept the zoning of the triangle lot the same and what is now Haywood Vocational Services is zoned commercially. Currently, the triangle lot where Brown Ave and Riverbend Street meet is zoned commercial with an existing business, Triangle Automotive, located there.

The four lots owned by Mr. McKay contain an apartment building, warehouse, two mobile homes, and an empty lot for storage. At the corner of Camp Street and Riverbend Street, which is zoned residential, John and Susie Fenlenson own lots and they wish to remain residentially zoned.

Ms. Teague said that by changing the zoning at this location, there would be more allowable uses for the property, and Mr. McKay indicated he would like to improve the pre-existing, non-conforming commercial structure, which is noted in tax records as warehousing and apartments. Also, rezoning to Hazelwood Business District would create more opportunity to redevelop the other properties containing mobile homes.

Chairman McDowell asked if anyone would like to speak.

Alex McKay
96 Rolling Drive
Waynesville, NC 28786

Mr. Alex McKay, speaking for his father, stated that one of the mobile homes on the property had been removed, and the remaining mobile home is occupied. He said he and his father had been discussing the possibility of opening an organic feed/gardening supply store on this property. Mr. McKay told the Board that this business opportunity will create more business and jobs for the area. He said if the rezoning request is granted, the remaining mobile home on the property will be removed.

Dustin Smith
Triangle Automotive

Mr. Smith stated his concerns with the stop sign located near his automotive shop. He indicated there have been multiple accidents at this stop. If the property is rezoned, and another business is located on the McKay's property, traffic will increase and the possibility of more accidents is a probability.

Susie Fenlenson
61 Camp Street
Waynesville, NC 28786

Ms. Fenlenson had some questions concerning what business Mr. McKay would be allowed to operate on this property if this request is granted. She stated she had read through the uses that are permitted in a Commercial District, and she would not have a problem with an organic feed/gardening supply, but would object to another automotive business.

There was discussion about what buffering would be required for a business in this area. Mr. Byron Hickox, Land Use Administrator, said that with general Commercial Zoning no extra buffering would be required.

Chairman McDowell closed the Public Hearing and asked for a motion.

Board Member Danny Wingate made a motion, seconded by Board Member Phillip Gibbs to grant the request for a Map Amendment (rezoning) for four lots at 263 Riverbend Street and 9 Camp Street (PINs 8605-81-5526, 8605-81-6618, 8605-81-7716, and 8605-81-6705) from the Hazelwood Urban Residential District to the Hazelwood Business District. The motion passed unanimously.

2. Conditional District Master Plan Additional Changes for review and possible approval for Chick-Fil-A outparcel, PIN 8616-22-7311

Chairman McDowell brought the Board's attention to the first pages in the agenda packet. He said this information is the original Conditional District Ordinance amending the zoning map of the Town of Waynesville creating the Ingles Market's Conditional District. Staff provided this information for reference concerning three of the items on the agenda for Ingles and for the outparcel that Chick Fil-A would be discussing.

Ms. Teague referred the Board to the Ingle District Conditional Master Plan. She said this is a request to amend the Master Plan for the out parcel north of Hometrust Bank. This parcel is adjacent to Russ Avenue, and is bordered on three sides by planned access roads. As part of the Master Plan, the out parcel is connected to the Ingles I-Market and parking lot by an access road as well as connected to Russ Avenue by two other access roads. This parcel was approved as a future drive thru restaurant. In August 2012, Ingles received approval from the Planning Board for changes to the Master Plan to relocate the I-Market store with gas pumps to the western corner of the property fronting Russ Avenue.

Ms. Teague explained that Chick-Fil-A is requesting changes to the revised Master Plan to develop the site to the north of the I-Market. In the existing plan, the building is located in the center of the property with a drive-thru going all the way around the building. Chick-Fil-A is requesting relocation of the building from the center of the property to the southeast side of the lot, a reduction of driveways from three to two, and also a change in the location of driveways from access roads that are perpendicular to Russ Avenue, to the access road that is parallel with and further away from Russ Avenue. Ms. Teague stated that the relocation of driveways eliminates the driveways along the access road that intersects Russ Avenue. She said this will make a safer driveway scheme and improve vehicular safety.

Staff believes that the proposed changes do not constitute substantial changes and can be approved by the Planning Board.

Todd Rogers
Roswell, Georgia

Mr. Rogers stated Chick-Fil-A's intent for moving access roads is for better circulation of the double drive thru lane. These lanes will merge into one lane, and will accommodate a larger number of vehicles. The Board asked about seating capacity. Mr. Rogers said approximately 134 for this building with an outdoor patio.

Ms. Teague said that 55 parking spaces area provided, exceeding the minimum requirement based on the number of seats. Parking for three bicycles will be provided. When asked about landscaping, Ms. Teague said the site plan for Chick-Fil-A is still evolving. Staff will be working with them as the process moves forward. Chick-Fil-A has standard landscaping, but they have a lot of flexibility in the landscaping plan based on the Conditional District Ordinance.

Mr. Rogers added that Chick-Fil-A will be adding landscaping. The building will be similar to other Chick-Fil-A buildings in which the short end of the building will be the front entrance and have landscaping.

A motion was made by Board Member Robert Herrmann, seconded by Board Member Marty Prevost to approve the site plan for Chick-Fil-A as a minor amendment to the Russ Avenue Regional Center Conditional District. The motion passed unanimously.

3. Conditional District Master Plan Additional Changes for review and possible approval for Ingles' Signage Plan, PIN 8616-22-7311.

Chairman McDowell asked Byron Hickox, Land Use Administrator, to present the staff report for this request.

Mr. Hickox stated that property consists of 19.86 acres with a large retail building that is currently occupied by Ingles Store # 23. Ingles is in the process of redeveloping their main property by expanding their store and making site alterations. Also, they are proposing to develop the adjacent property with an Ingle I-Market (gas station). Six separate sign elements are being requested for both the Ingles site and the I-Market as follows:

1. 9 individual signs to be placed on the façade of the redeveloped Ingles store
2. Attached signage on the I-Market
3. A ground sign to be located in front of the I-Market
4. A ground sign to be located at the property entrance on Howell Mill Road
5. Refacing the existing pylon sign on Russ Avenue
6. Signage to be installed on the multitenant portion of the main building

Mr. Hickox said the sign elements 2 thru 6 meet Land Development Standards requirements regarding size, placement and design. The main issue to be considered by the Planning Board is the proposal of 9 separate signs to be attached to the façade of the redeveloped Ingles store. Chapter 11, Section 7.2€ of the Land Development Standards state:

No more than three attached signs (excluding a single Pedestrian Sign where permitted) may be erected provided the total surface area permitted is not exceeded.

In the Russ Avenue Regional Center District, 15% of the wall is the maximum area permitted. Mr. Hickox said that 15% of a building as large as Ingles would be an enormous amount of signage, about 1500 square feet. The nine signs proposed by Ingles total only 397.27 square feet which is well within the 15% limit, but exceeds the allowed number of signs. Mr. Hickox stated that staff felt like even though there are more signs than allowed, this would most certainly be more preferable to what could be done if they maximized their signage. Staff recommends amending this section of the Conditional District Ordinance 2-11, as 4.d:

d. Signage. The number of signs allowed to be attached to buildings exceeding 80,000 square feet may exceed three, but not more than 10, provided that the total surface area of signage is no more than 15% of the wall surface to which the signs are attached.

Mr. Hickox referred the Board to their agenda packet for pictures of the proposed signs. He said the only sign intended to be seen from Russ Avenue is the large Ingles sign. The other signs are intended to direct patrons to the different sections of the store.

The Board asked Mr. Hickox if this amendment would only apply to the Ingles Conditional District. Mr. Hickox verified to the Board that this amendment would only apply to Ingles Conditional District Zoning. Unlike a non-substantial change to the Master Plan, this is a change to the ordinance text and so would have to go to the Board.

**Preston Kendell
West Vista Drive
Candler, NC**

Mr. Kendell stated that most of Ingles signs are directional signs so customers know what entrance to use to enter the store. He said the two smaller signs (Starbucks and Chop Sticks) are located inside the store and are visible from the outside. The existing sign that is visible from Russ Avenue will basically be the same, but in the future Ingles will have tenants in the shopping area and the sign will reflect those tenant's names.

A motion was made by Board Member Jon Feichter, seconded by Board Member Phillip Gibbs, to approve an amendment for the proposed signage as submitted by Ingles Markets, Inc., to the Conditional District Ordinance 2-11 4.d: Signage. The number of signs allowed to be attached to building exceeding 80,000 square feet may exceed three, but not more than 10, provided that the total surface area of signage is no more than 15% of the wall surface to which the signs are attached. The motion passed unanimously

4. Conditional District Master Plan Additional Changes for review and recommendation to the Board of Aldermen for Ingles' parking lot and store front PIN 8616-22-7311

Ms. Teague stated that in 2011 the Town of Waynesville rezoned property at 201 Barber Blvd. to a Conditional District, with the Master Plan showing redevelopment of the Ingles grocery store, new convenience store with gas pumps, and two areas for future restaurant development. She referred the Board to a memo from John Cox in the agenda packet outlining seven specific changes that Ingles is requesting.

1) Move landscape parking islands 19 feet away from the Ingles store front.

This move would align the islands with the island now east of the Belk building. It will relocate several light poles, and this means Ingles will have to recalculate lighting. Ms. Teague explained that the location of parking spaces relevant to planted islands is a performance standard measure in our Ordinances which says that no parking space can be forty

feet away from a planted island. Ms. Teague stated that in the plan that is approved, this performance standard is not met. Moving the islands still does not meet the performance standards. She posed the question to the Board as to if the board would consider this a substantial change to the Master Plan. If the Board decides it is a substantial change, then it will then go before the Board of Aldermen for approval. Ms. Teague said she felt staff could support the relocation of the islands from a design standpoint.

2) Changes in signage plan that will require separate action by the planning Board and Board of Aldermen which staff has placed on the agenda as a separate item.

This item has already been discussed and approved by the Planning Board.

3) The addition of five car charging stations (two to be installed now and three to be planned for future installations).

Ms. Teague said Ingles wanted to install a total of five car charging stations, two to be installed immediately, and three planned in the future. Ms. Teague pointed out to the Board where the stations would be located, and said that from staff's point of view, this would be a welcome addition and would not change the parking lot lay out. Mr. Kendell stated these stations have already been installed in four other locations of Ingles, and gave a brief history of how Ingles decided to place these stations in their parking lots.

4) Modification of the outdoor seating area to be on both sides of the front door instead of just one.

Mr. Kendell explained that in the approved Master Plan, there was an area that would have an ornamental fence separating patrons from the driveway. After reviewing this area, Ingles has decided to make the area with less square footage and tables and make outdoor seating on both sides of the front. He stated this change will make the area more welcoming. Ms. Teague commented that this relocates a portion of the seating area without changing the safety or function of the site and feels this is not a substantial change in the plan.

5) Reconfiguration of retail spaces to the west(left of the Ingles front), with no change in square footage from original request

Ms. Teague stated that Ingles would like to change the interior retail space to the left of the Ingles front. Mr. Kendell said that they did not know what retail business would be going into this space, but Ingles wants to be able to accommodate the needs of any tenant that might want to move there. This would change the footprint, but not the square footage which was originally approved and which will preserve that area for future development. Once there is a specific plan, Ingles will come before the Planning Board for approval.

The consensus of the Board is that this is not a substantial change and can be approved by the Planning Board.

6) Revisions to the car wash from a two bay automated carwash to a single bay tunnel that would be fully staffed.

Ms. Teague stated that before her arrival as Development Services Director for the Town of Waynesville, Ingles had been in contact with former Director Paul Benson concerning a carwash being constructed on the property. The plans that were originally approved did not include a carwash. Ingles believed they had staff level approval for the carwash. In submitting plans for this Master Plan Change request, the plans showed a carwash that Ingles wanted to decrease from two bays to one fully staffed tunnel bay.

**John Cox
Land Planning Associate
Ingles**

Mr. Cox stated that in December of 2014, he had emailed Paul Benson concerning revising the plans for a 7000 square carwash to a 2450 square foot two bay carwash. Mr. Benson conveyed staff approval for the revision. Ingles is now asking for revisions to the carwash from a two bay automated carwash to a single bay tunnel that would be staffed. The design of the original carwash is outdated and the tunnel type is a modern version. There were questions from the Board concerning the validity of the planned carwash, and the revisions approved by Mr. Benson.

Board Members Robert Herrmann and Jon Feichter stated they remembered approving the carwash for the Master Plan. Mr. Hermann and Mr. Feichter referred to Planning Board Minutes from the August 18, 2014 meeting reaffirming the Planning Board approval of the carwash. Ms. Teague said because the carwash was approved in those minutes, the revisions from a two bay to an automated two bay tunnel could be made. She felt that the reduction of the car wash footprint would not constitute a substantial change and could be approved by the Planning Board but deferred to the Board's thoughts on it. The Board was in consensus that it was not a substantial change to the Master Plan.

7) Addition of parking area to the east (right) side of the Ingles store

Ms. Teague said that Ingles determined that the tenants to the right of the store would have little or no parking in front of them. The revised site plan would add parking to that area. She stated that adding these parking spaces would require some additional landscaping and asked the Board how they wanted to handle this landscaping issue. She said the performance standard stated every parking space should be within 40 feet of a tree, but that under the Conditional District Zoning the proposed landscaping was deemed adequate. Mr. Kendell said that Ingles has full intentions of keeping the required amount of landscaping with the additional parking spaces.

The Board had questions concerning the distance the islands will be moved, and how many parking spaces will be created. Mr. Kendell said they will be moved 19 feet, and this will create 12 to 14 spaces for the tenant.

A motion was made by Board Member Bucky Dykes, seconded by Board Member Danny Wingate, to approve the requested revisions to the Master Plan for the Ingles site as a minor amendment to the Russ Avenue Regional Center Conditional District and contingent upon State permitting approval. The motion passed unanimously.

Board members asked Mr. Kendell about the Belk Building on the property. He said they had tried to find a tenant, but so far had no luck. When the Ingles project is complete, a decision will be made as to what to do with the building. Mr. Kendell estimates a fall of 2016 completion date for the Ingles project.

C. ADJOURN

With no further business, a motion was made by Board Member Marty Prevost, seconded by Board Member Phillip Gibbs, to adjourn the meeting at 7:29 pm. The motion passed unanimously.

Patrick McDowell, Chairman

*acting Chairman
Danny Wingate*

Eddie Ward

Eddie Ward, Deputy Clerk